

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-35 are pending in the application, with 1, 8, 10, 16, 17, 18, 26, and 32 being the independent claims. Claims 1-17 are sought to be amended without prejudice to or disclaimer of any subject matter removed therefrom. New claims 18-35 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Personal Interview with Examiner

A personal interview was held on Wednesday, November 6, 2002, between Examiner Huynh-Ba, co-inventor Alex Holtz, and Applicants' representatives Michael Q. Lee (Registration No. 35,239), and Kendrick Patterson (Registration. No. 45,321). Applicants would like to thank the Examiner for a helpful and constructive interview.

During the interview, Applicants' representatives explained the differences between the present application and the applied documents of record, namely U.S. Patent

No. RE 37,342 to Washino *et al.* (herein referred to as "Washino"), and U.S. Patent No. 5,115,310 to Takano *et al.* (herein referred to as "Takano"). Applicants' representatives also discussed the Examiner's rejections based on the Declaration by Alex Holtz (filed on March 9, 2001).

Objection to the Abstract

In the Office Action, the Examiner has objected to the Abstract for having more than 150 words. Applicants have revised the Abstract pursuant to 37 C.F.R. § 1.72, and it is submitted herewith for the Examiner's reconsideration and approval.

Rejections under 35 U.S.C. § 102

In the Office Action, the Examiner has rejected claims 1-17 under 35 U.S.C. 102(b) over an alleged public use or sale of the invention. The Examiner's rejections are based on the Declaration filed by Alex Holtz in conjunction with its Exhibits A, B, and C (all filed on March 9, 2001, and re-filed herewith). These rejections are respectfully traversed.

The Declaration (as originally filed and as amended herewith) identifies several features, enumerated in paragraph 19 of the Declaration, that were not conceived until

after December 18, 1997. The claims have been amended to more clearly recite one of these features, namely “creating segment files,” or “integrating segment delimiters.”

Accordingly the claims 1-35 are patentable over the activity disclosed in the Declaration, at a minimum, because the independent claims 1, 8, 10, 16, 17, 18, 26, and 32 have been amended or drafted to recite “segment files” or the features and functions thereof.

Reconsideration and withdrawal of the Examiner’s rejections to the claims are respectfully requested, and allowance thereof.

Rejections under 35 U.S.C. § 103

In the Office Action the Examiner has rejected claims 1-10 under 35 U.S.C. 103, as being obvious over U.S. Patent No. RE 37,342 to Washino *et al.* (herein referred to as “Washino.”) in view of U.S. Patent No. 5,115,310 to Takano *et al.* (herein referred to as “Takano”). These rejections are respectfully traversed.

Washino describes an audio/video production system that is implemented on a PC-based platform. The system allows off-line editing decisions to be developed on a PC using removable storage media, and final representations of programs to be produced on-line in accordance with digital-tape-based formats.

Hence, Washino’s system is directed to post-production “editing.” Washino does not describe a system that produces a show from a script comprising one or more

segment files. Although Washino describes that “software script materials” can be coupled with “instructions for control of camera movements,” Washino does not describe a system that produces a video segment having no predefined duration.

Takano does not cure the defects of Washino. Takano describes a news broadcasting system that enables news staff to track current versions of news material. A staff member prepares a cue sheet that lists the times of transmission and material IDs for program material. Once the material has been edited and finalized, the cue sheet is updated to include the updated material IDs. The updated cue sheet is transferred to a host workstation that makes out a device control file and a material ID file. A staff member causes an automatic controller to carry out automatic ID checking of the material IDs, by comparing the material IDs in the cue sheet with the material IDs on the materials to be transmitted. A monitor displays whether there is agreement or disagreement among the material IDs. A staff member views the monitor to confirm agreement for each material, and operates a TAKE key to transmit each material from a switcher.

The Examiner appears to equate a “story file” and “show file” with Takano’s cue sheet. However, Takano’s cue sheet only lists an order of transmission for materials of a news program. Neither Takano’s cue sheet nor any other component of Takano’s system enables the production of a video segment having no predefined duration. In fact, Takano’s system contemplates a manual production environment. Although an automatic controller is provided to perform automatic ID-checking on source material, a

human operator must manually initiate the automatic checking and manually operate a TAKE key to feed a source through a switcher.

For at least the above reasons, Applicants respectfully assert that Washino and/or Takano does not teach or suggest each and every limitation of Applicants' invention. Thus, Applicants assert that claims 1-35 are patentable over the applied patents, and respectfully request the Examiner to reconsider and withdraw the rejections.

Other Matters

Applicants respectfully request approval of the proposed changes to the Declaration filed by Alex Holtz. Applicants have revised the Declaration for compliance with 37 C.F.R. § 1.68, and it is submitted herewith for the Examiner's reconsideration and approval.

Applicants respectfully request approval of the proposed changes to the Title. The Title has been amended to more clearly describe the invention.

Applicants also respectfully request approval of the proposed drawing changes provided herewith and illustrated in more detail in red ink on the attached copy of Figures 1, 23A and 24. The changes to the drawings are made to insert or correct reference numerals as illustrated in red ink. The changes are made to correct obvious errors. The changes to Figures 23A and 24 are clearly supported by the Specification at page 64, lines 14-17 and line 26. The changes to Figure 1 are made to correct the

duplicate usage of reference numeral 154 to depict a “program output” from DVE 106, and “video switcher output” from video switcher 104. Video switcher output “154,” as originally illustrated and described, is renamed herein as video switcher output “150” to remove the duplicate reference. This change is clearly supported by the Specification at page 17, line 26 and continuing to line 13 on page 18.

Additionally, Applicants respectfully request approval of the proposed changes to the Specification. The changes have been made to correct obvious errors, including misspellings, and misplaced or omitted reference numerals.

Although Applicants have carefully reviewed the entire Specification, Applicants would appreciate the Examiner bringing to Applicants' attention any additional errors or informalities discovered by the Examiner.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will

expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "K. Patterson", enclosed within a large, stylized oval flourish.

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Version with markings to show changes made

1. The Specification has been changed as follows:
 - a. A markup of the substitution for the 4th full paragraph on page 17
(beginning at line 26 and continuing to line 5 on page 18) is as follows:

Video director 135 is able to select which video signals 140-145 will appear on program output 154 and preview output 155 of DVE 106 by selecting a video source icon 303 from program row 310 and by selecting a video source icon 303 from preview row 311. For example, if video source icon 314 corresponds to video input port 161, and video director 135 selects video source icon 314, then video input port 161 is coupled to one of the video switcher outputs [151-154] 150-153. Further, because video source icon 314 is in program row 310, video input port 161 is coupled to program output 154 of DVE 106. Consequently, video output signal 141, which is connected to video input port 161, appears on DVE program output 154.

- b. A markup of the substitution for the 1st full paragraph on page 18
(beginning at line 6) is as follows:

Similarly, if video source icon 316 corresponds to video input port 162, and video director 135 selects video source icon 316, then video input port 162 is

coupled to one of the video switcher outputs [151-154] 150-153. Further, because video source icon 316 is in preview row 311, video input port 162 is coupled to preview output 155 of DVE 106. Consequently, video output signal 142, which is connected to video input port 162, appears on DVE preview output [154] 155. In this manner, video director 135 interacts with processing unit 102 to manually control the operation of video switcher 104 and DVE 106.

- c. A markup of the substitution for the 1st full paragraph on page 38 (beginning at line 17) is as follows:

Control line 1003 is a step mark line. A step mark icon 1018, a user mark icon [1020] 1022, and a GPI mark icon [1022] 1020 can be placed on control line 1003. Label icon 1023 can also be placed on control line 1003 to allow video director 135 to name a segment or portion of time sheet 299. Once label icon 1023 is dragged and dropped on to control line 1003, video director 135 can double click the icon to open up a dialogue box that allows video director 135 to enter in text. The text is then displayed on the label icon. This allows video director 135 to label one or more portions of the transition macro.

- d. A markup of the substitution for the 1st full paragraph on page 45 (beginning at line 3) is as follows:

In one embodiment, processing unit 102, video switcher 104, DVE 106, RPD 128, and audio mixer 110 are all within control room 1504. Cameras 120, 122, and 124 and microphones 1516 and 1518 are in the studio 1502. Video outputs 140, 141, and 142 from cameras 120, 122, and 124 are coupled to video switcher input ports 160, 161, and 162, respectively. Video output 144 of RPD 128 is coupled to video switcher input port 164. Audio output 1521 from RPD 128 is coupled to input 1 of audio mixer 110. Audio outputs 1532 and 1534 from microphones 1516 and 1518 are coupled to input 3 and [5] 2 of audio mixer 110, respectively. Consequently, audio output 1521 is designated audio input channel one, audio output 1532 is designated audio input channel [three] two, and audio output 1534 is designated audio input channel [five] three.

- e. A markup of the substitution for the 6th full paragraph on page 55 (beginning at line 29 and continuing to line 17 on page 56) is as follows:

A preview feature is provided with the semi-automatic feature described above. The preview feature allows video director to preview a video signal before it is transitioned to program output 154. In one embodiment, when timer 1002 is stopped at a step mark, processing unit 102 looks for the first video transition hot-key 902 that is placed after the step mark. Processing unit 102 then sends a command to video switcher 104 and DVE 106 such that the video source that is configured to be coupled to program output 154 when the video transition

hot-key is activated is coupled to DVE preview output 155. For example, referring to FIG. 19, video transition hot-key 902(2) is configured such that video output 141 from camera 122 will be coupled to program output 154 when video transition hot-key 902(2) is activated. Furthermore, video transition hot-key 902(2) is the first video transition hot-key that is placed after step mark 1018(1). Therefore, when timer 1002 is stopped at step mark 1018(1), processing unit sends a command to video switcher 104 and DVE 106 to couple video output 141 from camera 122 to preview output 155. Typically, preview output [154] 155 is connected to a preview monitor. This allows video director 135 to see exactly what the next camera shot looks like before the next camera shot is coupled to program output 154. This feature is important when executing a live show, such as a nightly news broadcast.

- f. A markup of the substitution for the 2nd full paragraph on page 57 (beginning at line 11) is as follows:

Video director 135 creates a transition macro play-list by inserting transition macro files into play-list window 262. To insert a transition macro file into play-list window 262, video director 135 activates an insert file button 260. Upon activating insert file button 260, video director 135 selects a transition macro file that has been previously saved and stored in processing unit 102. After video director 135 selects a transition macro file, the transition macro file is

inserted into play-list window 262. To insert additional transition macro files to play-list window 262, video [directly] director 135 merely activates insert file button 260. To delete a transition macro file from play-list window 262, video director 135 selects the transition macro file using mouse 116 or other device, and then either drags the file to delete icon 261 or activates a delete button on keyboard 118.

- g. A markup of the substitution for the 3rd full paragraph on page 57 (beginning at line 22 and continuing to line 3 on page 58) is as follows:

Video director 135 can also name and save a transition macro play-list. To name and save a transition macro play-list, video director 135 activates save button 265. Upon activating save button, video director 135 is prompted to name the transition macro play-list. After naming the transition macro play-list, the transition macro play-list is saved to a file. To load a previously saved transition macro play-list into play-list window 262, video director 135 activates play-list open button 264. Upon activating play-list open button 264, video director 135 selects a transition macro play-list that has been previously saved and stored to a file. After video director 135 selects a transition macro play-list, each transition macro file that is in the play-list is inserted into play-list window 262. To insert additional transition macro files to play-list window 262, video [directly] director 135 merely activates insert file button 260.

2. A markup of the substitution for the Abstract is as follows:

[An integrated, fully automated video] A production system [that provides a video director with total] automates the control [over all] of [the video] production devices used [in producing] to produce and [broadcasting] broadcast a show. [Such devices include, but are not limited to, cameras, robotic pan/tilt heads, video tape players and recorders (VTRs), video servers and virtual recorders, character generators, still stores, digital video disk players (DVDs), audio mixers, digital video effects (DVE), video switchers, and teleprompting systems.] The [video production] system [provides an] automation [capability that] allows [the] a video director to pre-produce [a show], [review the show in advance of "air time,"] preview, and [then, with a touch of a button,] produce the live show from a single user interface. In [one] an embodiment, [the invention provides a video production system having] a processing unit [in communication with one or more of the video production devices mentioned above. The processing unit] displays [on a monitor] graphical controls for [controlling] the [variety of video] production devices [that it is in communication with]. A video director [uses a keyboard and mouse that are interfaced with the processing unit to activate] interacts with the graphical controls[, and] to thereby remotely control the [video] production devices from one location. [The processing unit also enables the video director to automate the production of a show. According to one] In an embodiment, [the] a video director [pre-produces the show,] defines

a set of [video] production commands or instructions ([hereafter] i.e., “transition macro”) [to be executed by the processing unit, and then, by activating a control button displayed by the processing unit, the video director instructs the processing unit to execute the transition macro. Each video] Upon execution, each production command [in a transition macro] directs the processing unit to transmit in series and/or parallel one or more control commands to one or more of the [video] production devices [when required]. Production commands can be included to enable the show to be broadcast live or recorded for on-demand access. Live and/or on-demand productions are distributed over traditional television mediums and/or a computer network, including the Internet.

3. Claims 18-35 have been added as new claims.

18. (New) A method for producing a show, comprising the steps of:

- (a) creating a script for the show to define a set of production commands, said script comprising one or more segment files, each of said segment files comprising a set of production commands that, when executed, operate to produce a segment of the show having no predefined duration;
- (b) executing said set of production commands to thereby produce each segment of the show; and
- (c) distributing a show segment over a computer network to a destination.

19. (New) The method of claim 18, further comprising the step of:
- (d) receiving, from said destination, a request to distribute one or more show segments prior to executing step (c).
20. (New) The method of claim 19, further comprising the step of:
- (e) defining a set of commands corresponding to said one or more segments that, when executed, enables selection of said one or more show segments for distribution.
21. (New) The method of claim 20, further comprising the step of:
- (f) accessing a segment delimiter to enable selection of a show segment for distribution, said segment delimiter identifying and/or describing the content of said selected show segment.
22. (New) The method of claim 20, further comprising the step of:
- (f) defining commands that, when executed, enable distribution of said selected one or more show segments over the global Internet to said destination.
23. (New) The method of claim 20, further comprising the step of:
- (f) defining commands that, when executed, enable distribution of said selected one or more show segments to comply with the Internet Protocol

defined in Internet Standard 5, RFC 791, for transport over said computer network.

24. (New) The method of claim 18, further comprising the step of:
(d) defining commands that, when executed, distributes data related to said show segment to said destination.

25. (New) The method of claim 18, further comprising the step of:
(d) distributing said show segment over a wireless network to said destination.

26. (New) A method for producing a show, comprising the steps of:
(a) creating a script for the show to define a set of production commands, said script comprising one or more segment files, each of said segment files comprising a set of production commands that, when executed, operate to produce a segment of the show having no predefined duration;
(b) executing commands to integrate at least one segment delimiter with each segment file, said segment delimiter identifying a segment produced from a corresponding segment file; and
(c) executing said set of production commands to thereby produce each segment of the show.

27. (New) The method of claim 26, further comprising the step of:
- (d) executing commands to distribute each show segment, upon production, to a destination.
28. (New) The method of claim 27, wherein step (d) comprises the step of:
- (e) executing commands to distribute data related to said show segment to said destination.
29. (New) The method of claim 27, wherein step (d) comprises the step of:
- (e) deploying a wireless interface to distribute said show segment to said destination.
30. (New) The method of claim 26, further comprising the step of:
- (d) receiving, from a destination, a request to distribute one or more show segments prior to said destination.
31. (New) The method of claim 26, further comprising the step of:
- (d) accessing a segment delimiter to enable selection of a show segment for distribution to a destination.

32. (New) A method for producing a show, comprising the steps of:
- (a) enabling creation of a script for the show to define a set of production commands, said script comprising one or more segment files, each of said segment files comprising a set of production commands that, when executed, operate to produce a segment of the show having no predefined duration;
 - (b) executing each production command within said set of production commands to thereby produce each segment of the show; and
 - (c) executing commands to distribute a show segment and data related to said show segment to a destination.
33. (New) The method of claim 32, further comprising the step of:
- (d) executing commands to distribute an advertisement to said destination.
34. (New) The method of claim 32, further comprising the step of:
- (d) executing commands to send media in response to a request for information related to said show segment.
35. (New) The method of claim 32, wherein step (c) comprises the step of:
- (d) executing commands to distribute said show segment at substantially the same time as producing said show segment.

4. A markup version of claims 1-17 are provided below:

1. (Once Amended) A method for producing a show [in a video production environment having a processing unit in communication with a one or more video production devices], comprising the steps of:

(a) [creating] enabling creation of a script for the show, wherein said script defines a set of [video] production commands, said script comprising one or more segment files, each of said segment files comprising a set of production commands that, when executed, operate to produce a segment of the show having no predefined duration; and

(b) executing [each video production command within] said set of [video] production commands to thereby produce the show[, wherein the step of executing a video production command includes the step of transmitting a control command from the processing unit to one of the plurality of video production devices; and]

[creating a story file for each of a plurality of segments within said show, wherein said story file includes a sub-set of video production commands from said set of video production commands, wherein said sub-set of video production commands corresponds to one of said plurality of show segments].

2. (Once Amended) A method of claim 1, further comprising the step of:

(c) [adding said story file] executing commands to add a segment file to a show file prior to executing the first [video] production command within [said sub-set] the set of [video] production commands corresponding to said [story] segment file.

3. (Once Amended) A method of claim 2, wherein a subsequent [story files are] segment file is irreversibly appended to said show file prior to executing the first [video] production command within [said sub-set] the set of [video] production commands corresponding to a preceding [story] segment file.

4. (Once Amended) A method of claim 3, wherein [said sub-set] the set of [video] production commands corresponding to each [of said] subsequent [story files] segment file includes instructions for transitioning from the preceding show segment to the subsequent show segment.

5. (Once Amended) A method of claim 2, further comprising the step of:

(d) [storing] executing commands to store said show file in a memory means.

6. (Once Amended) A method of claim 1, further comprising the steps of:

(c) [recording] executing commands to record each [video] show segment for subsequent playback; and

(d) [adding descriptive codes] executing commands to integrate a segment delimiter for [said] each recorded segment [to said story] with a segment file, said segment delimiter identifying said recorded segment.

7. (Once Amended) A method of claim 6, wherein said [descriptive codes include time code stamps to identify] segment delimiter identifies the start of said [video] recorded segment.

8. (Once Amended) A method for producing a show [in a video production environment having a processing unit in communication with a one or more video production devices], comprising the steps of:

(a) [creating] enabling creation of a script for the show, wherein said script defines a set of [video] production commands, said script comprising one or more segment files, each of said segment files comprising a set of production commands that, when executed, operate to produce a segment of the show having no predefined duration; and

(b) executing [each video production command within] said set of video production commands to thereby produce the show[, wherein the step of

executing a video production command includes the step of transmitting a control command from the processing unit to one of the plurality of video production devices];

[creating a story file for each of a plurality of segments within said show, wherein said story file includes a sub-set of video production commands from said set of video production commands, wherein said sub-set of video production commands corresponds to one of said plurality of show segments; and]

(c) [adding said story] executing commands to add a segment file to a show file prior to executing the first [video] production command within [said sub-set] the set of video production commands corresponding to said [story] segment file.

9. (Once Amended) A method of claim 8, wherein a subsequent [story files are] segment file is irreversibly appended to said show file prior to executing the first [video] production command within [said sub-set] the set of [video] production commands corresponding to a preceding [story] segment file.

10. (Once Amended) A system for producing a show [in a video production environment], comprising:

a processing unit in communication with a one or more [video] production devices;

[first] generating means for [creating] enabling creation of a script for the show, wherein said script defines a set of [video] production commands, wherein said script comprises one or more segment files, wherein each of said segment files comprise a set of production commands that, when executed, operate to produce a segment of the show having no predefined duration; and

[second generating means for creating a story file for each of a plurality of segments within said show, wherein said story file includes a sub-set of video production commands from said set of video production commands, wherein said sub-set of video production commands corresponds to one of said plurality of show segments]

executing means for executing each production command within said set of production commands to thereby produce the show.

11. (Once Amended) A system of claim 10, further comprising means for [adding said story] executing commands to add a segment file to a show file prior to executing the first [video] production command within [said sub-set] the set of [video] production commands corresponding said [story] segment file.

12. (Once Amended) A system of claim 11, further comprising means for executing commands to irreversibly [appending] append a subsequent [story] segment file to said show file prior to executing the first [video]

production command within [said sub-set] the set of [video] production commands corresponding to a preceding [story] segment file.

13. (Once Amended) A system of claim 11, further comprising memory means for [storing] enabling storage of said show file.

14. (Once Amended) A system of claim 10, further comprising:
means for [recording] executing commands to record each [video] show segment for subsequent playback; and
means for [adding descriptive codes] executing commands to integrate a segment delimiter for [said] each recorded segment [to said story] with a segment file, wherein said segment delimiter identifies said recorded segment.

15. (Once Amended) A system of claim 14, wherein said [descriptive codes include time code stamps to identify] segment delimiter identifies the start of said [video] recorded segment.

16. (Once Amended) A method for producing a show [in a video production environment having a processing unit in communication with a one or more video production devices], comprising the steps of:

(a) receiving verbal instructions and converting said verbal instructions into signals [to instruct the processing unit to create] to enable creation of a script for the show, wherein said script defines a set of [video] production commands, said script comprising one or more segment files, each of said segment files comprising a set of production commands that, when executed, operate to produce a segment of the show having no predefined duration;

(b) executing [each video production command within] said set of [video] production commands to thereby produce the show[, wherein the step of executing a video production command includes the step of transmitting a control command from the processing unit to one of the plurality of video production devices; and]

[creating a story file for each of a plurality of segments within said show, wherein said story file includes a sub-set of video production commands from said set of video production commands, wherein said sub-set of video production commands corresponds to one of said plurality of show segments].

17. (Once Amended) A system for producing a show [in a video production environment], comprising:

a processing unit in communication with a one or more [video] production devices;

means for receiving verbal instructions and converting said verbal instructions into signals to instruct said processing unit to create a script for the

show, wherein said script defines a set of [video] production commands, wherein said script comprises one or more segment files, wherein each of said segment files comprise a set of production commands that, when executed, operate to produce a segment of the show having no predefined duration; and

executing means for executing [each video production command within] said set of [video] production commands to thereby produce the show[, wherein the step of executing a video production command includes the step of transmitting a control command from said processing unit to one of the plurality of video production devices; and]

[means for creating a story file for each of a plurality of segments within said show, wherein said story file includes a sub-set of video production commands from said set of video production commands, wherein said sub-set of video production commands corresponds to one of said plurality of show segments].

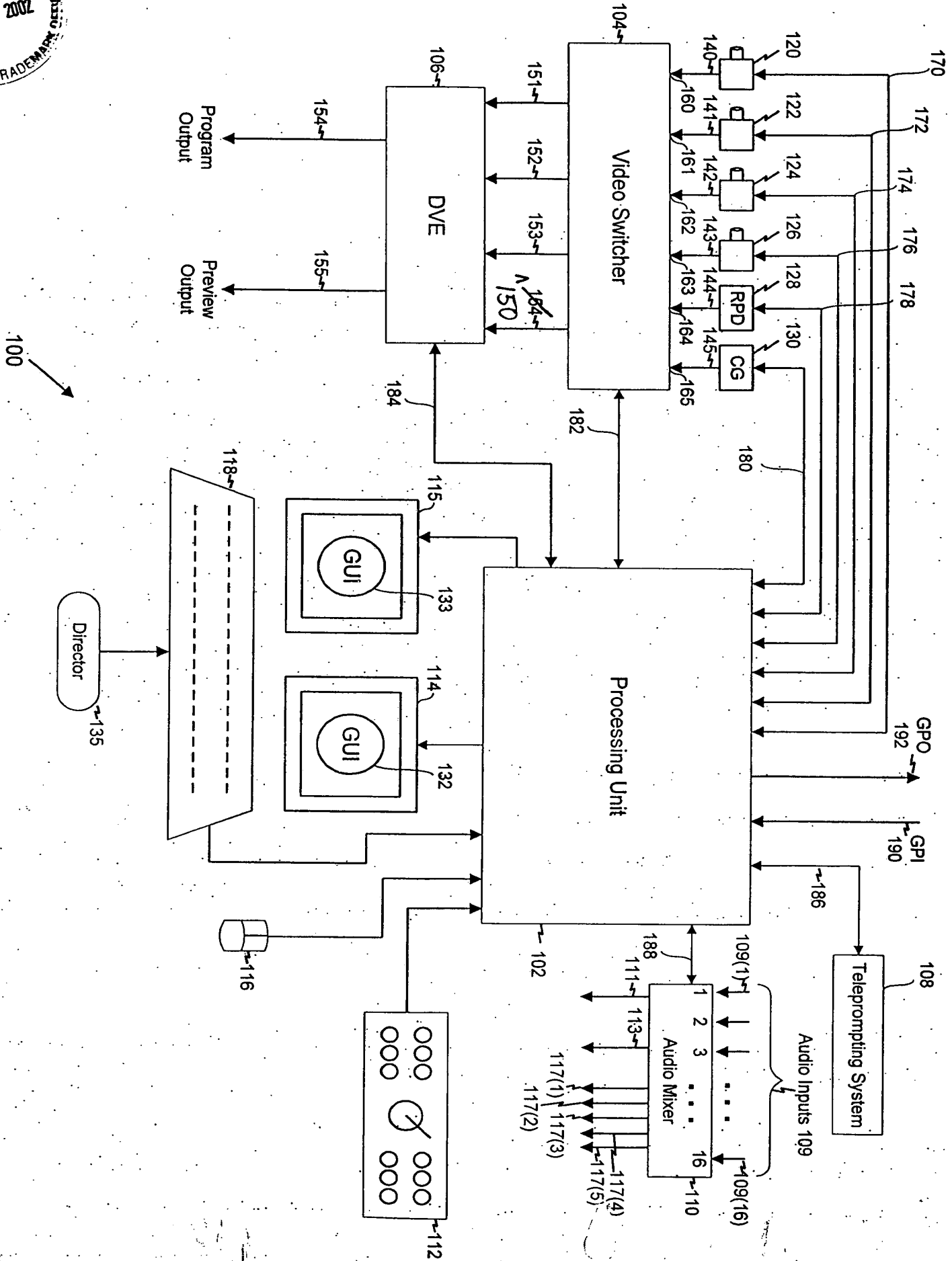


FIG. 1

2012

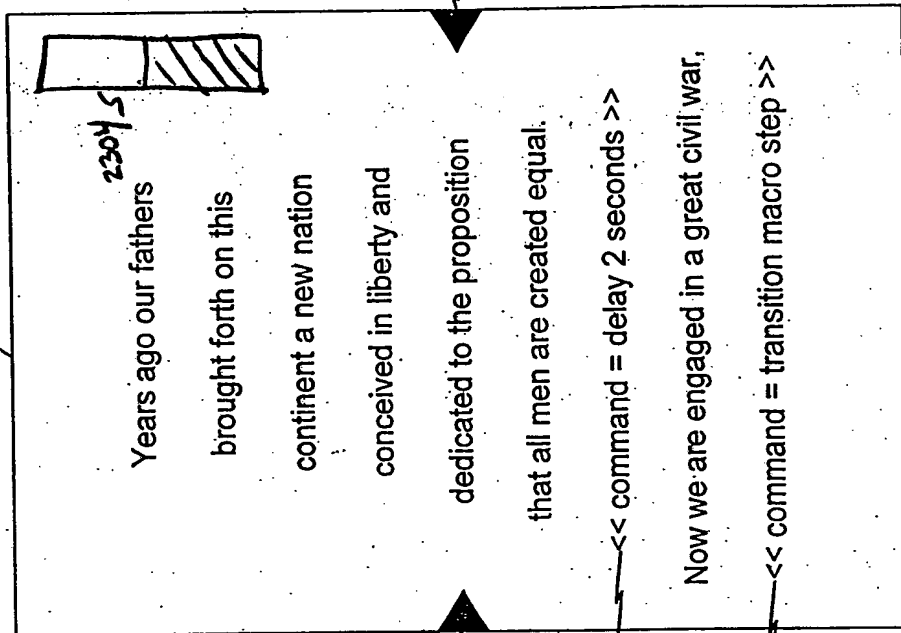


FIG. 23A

2012

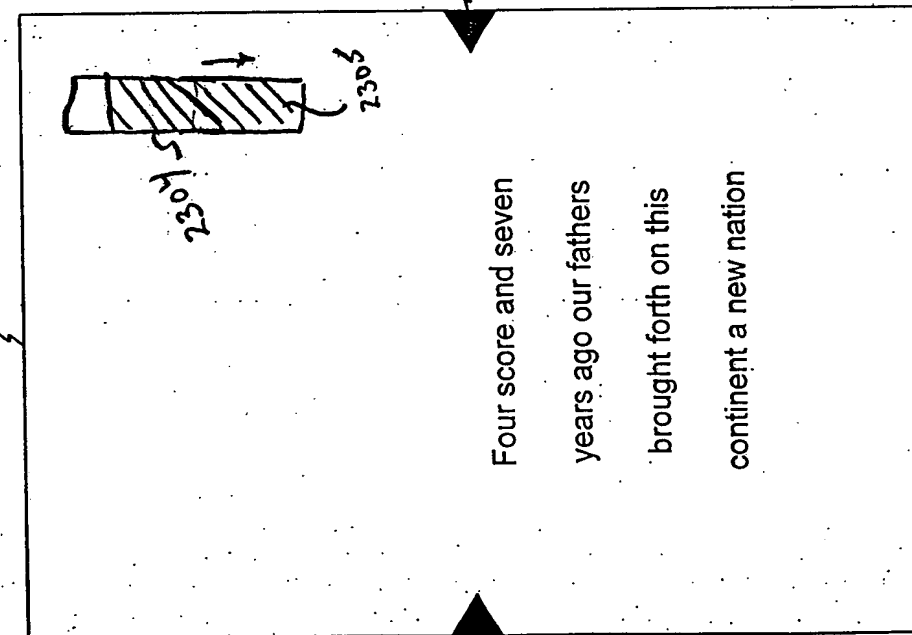


FIG. 23B

2014

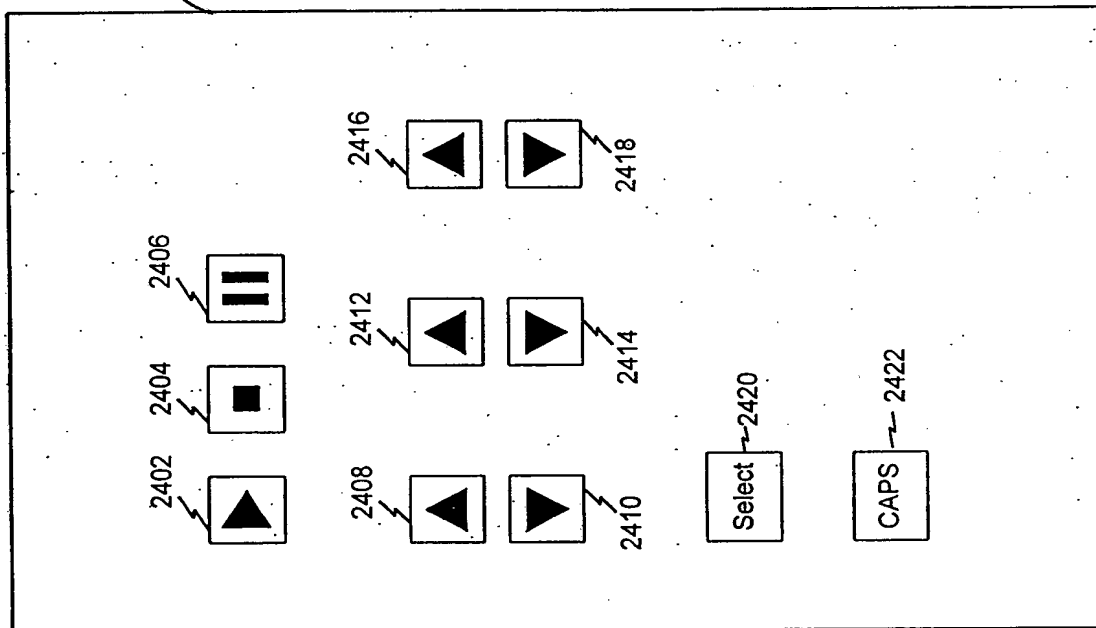


FIG. 24

